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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 KAMAL B. MAHDAVI,

12 Plaintiff,

13 v.

14 THE DIRECTOR OF THE FEDERAL
BUREAU OF INVESTIGATION, et al.

15 Defendants.
16

Case No. 11cv2849 BTM(WMc)

**ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS;
DISMISSING CASE FOR FAILURE
TO STATE A CLAIM**

17 On December 7, 2011, Plaintiff filed a Complaint and a Motion to Proceed In Forma
18 Pauperis ("IFP"). For the reasons discussed below, the IFP Motion is granted, and the
19 Complaint is dismissed for failure to state a claim.
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21 **DISCUSSION**

22 I. Motion to Proceed IFP

23 Upon review of Plaintiff's affidavit in support of her IFP Motion, the Court finds that
24 Plaintiff has made a sufficient showing of inability to pay the filing fee required to prosecute
25 this action. Accordingly, Plaintiff's IFP Motion is **GRANTED**.
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27 II. Failure to State a Claim

28 Although the Court will allow Plaintiff to proceed IFP, Plaintiff's Complaint must be

1 dismissed for failure to state a claim. The Court is under a continuing duty to dismiss an IFP
2 case whenever the Court determines that the action "fails to state a claim on which relief may
3 be granted." 28 U.S.C. § 1915(e)(2)(B)(ii).

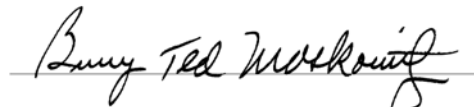
4 Plaintiff has named eighty defendants, including governmental agencies, judges,
5 police, hospitals, hotels, banks, grocery stores, libraries, and universities. His 62-page
6 complaint is a rambling account of various acts of malfeasance and conspiracies. Plaintiff
7 has failed to meet the pleading standards set forth in Fed. R. Civ. P. 8 and has failed to
8 allege facts supporting a plausible claim for relief. Therefore, Plaintiff's Complaint is
9 **DISMISSED**.

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11 **CONCLUSION**

12 For the reasons discussed above, Plaintiff's motion to proceed in forma pauperis is
13 **GRANTED**, and Plaintiff's Complaint is **DISMISSED** for failure to state a claim. The Court
14 **GRANTS** Plaintiff leave to file a First Amended Complaint. If Plaintiff chooses to file a First
15 Amended Complaint, he must do so on or before **January 20, 2012**. Failure to do so will
16 result in the closing of this case.

17 **IT IS SO ORDERED.**

18 DATED: December 15, 2011

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20 Honorable Barry Ted Moskowitz
21 United States District Judge
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